

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

STACEY L. RUSSELL BUDENSIEK, )  
v. )  
Plaintiff, )  
CAROLYN W. COLVIN, ) No.: 3:12-CV-455  
Acting Commissioner of Social Security, ) (VARLAN/GUYTON)  
Defendant. )

## **ORDER**

This Social Security appeal is before the Court on the Report and Recommendation entered by United States Magistrate Judge H. Bruce Guyton on July 12, 2013 [Doc. 21]. There have been no timely objections to the Report and Recommendation and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In the Report and Recommendation, the magistrate judge recommends that plaintiff's Motion for Judgment on the Pleadings [Doc. 15] be denied and that the Commissioner's Motion for Summary Judgment [Doc. 19] be granted.

The Court has carefully reviewed this matter, including the underlying motions and the complaint, and the Court is in agreement with the magistrate judge's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 21], and it is **ORDERED** that the Commissioner's Motion for Summary Judgment [Doc. 19] is

**GRANTED** and plaintiff's Motion for Judgment on the Pleadings [Doc. 15] is **DENIED**.

The Commissioner's decision in this case denying plaintiff's claim for supplemental security income is **AFFIRMED**. This case is **DISMISSED**, and the Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin  
CLERK OF COURT